

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

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| ROBERT J. ELLIS | § | PLAINTIFF |
| | § | |
| v. | § | CAUSE NO. 1:04CV120 LG-RHW |
| | § | |
| LANDINGS ASSOCIATES, LTD., THE MITCHELL CO., TRUSTMARK BUILDERS, INC. and SCOTTY JONES | § | DEFENDANTS |
| | § | |
| TRUSTMARK BUILDERS, INC. | § | THIRD-PARTY PLAINTIFF |
| | § | |
| v. | § | |
| | § | |
| RUSTY STEVENS and FIREMAN'S FUND INSURANCE CO. | § | THIRD-PARTY DEFENDANTS |
| | § | |

JUDGMENT

This matter having come on to be heard on the Summary Judgment motions filed by the Plaintiff and the Defendants, the Court, after a full review and consideration of the Motions, the pleadings on file and the relevant legal authority, finds that in accord with the memorandum opinion and order entered herewith,

IT IS ORDERED AND ADJUDGED that judgment is rendered in favor of the Defendants, Trustmark Builders, Inc. and Scotty Jones, pursuant to FED. R. CIV. P. 56. The Plaintiff's claims are dismissed with prejudice.

SO ORDERED AND ADJUDGED this the 19th day of November, 2009.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE